

2.0 SCOPE OF SERVICES

2.1 Background

Miami-Dade County, Finance Department is soliciting proposals for debt collection services which will be available for use by all County Departments. The County anticipates awarding up to two firms. Presently, retail and commercial accounts are assigned to the Finance Department, Credit and Collection Section by various departments, for the purpose of collecting past due accounts varying from Code Enforcement Citations to hospital fees and involving domestic as well as, international debtors. Currently, some County departments have their own internal collection units, which collect on past due accounts, while others place the accounts for collection after only a limited billing process. Although some of the accounts may never be assigned to an outside collection agency, other accounts may have been assigned to an outside collection agency in lieu of the originating department having an internal collection unit. Once accounts are received by the Finance Department, the accounts will be collected by in-house staff for ninety days or longer before assignment to an outside collection agency. The accounts may thereafter, at the discretion of the County, be assigned to a collection agency.

The County, at its sole discretion, reserves the right to add, delete or modify the type of accounts or collection services required under this contract. Additionally, the referral of accounts to, or the recall of accounts from selected Proposer(s) shall be at the sole discretion of the County.

2.2 Assignment of Accounts

The selected Proposer(s) will receive accounts, on a non-exclusive basis, as forwarded by the County. The County will distribute accounts as equitably as possible taking into consideration value of accounts, at its discretion. The County will monitor the selected Proposers' performance as the County reserves the right to adjust account assignments to attain the best results for the County.

2.3 Preferred Qualifications

The selected Proposer(s) should:

- A. Be registered as a Collection Agency in the State of Florida, unless exempted by Florida Statutes.
- B. Have the capability to effect collections in all 50 States, U.S. Territories or Commonwealths, as well as, Caribbean nations, Canada and foreign countries, if applicable, and shall meet all interstate collection requirements.

2.4 Services to be Provided

The selected Proposer(s) shall adhere to the Code of Ethics prescribed by the American Credit and Collection Association (CAC), the Florida Collectors Association (FCA), and/or any other applicable billing/collection Associations and shall abide at all times by the Fair Debt Collections Practice Act (FDCPA) and all other applicable Federal, State or local regulations, laws or codes.

The selected Proposer(s) shall:

1. Use all legal means, procedures and/or techniques available to locate and engage debtors to pay the entire amount of their outstanding accounts owed to the County. This includes locating debtors whose addresses and telephone numbers may be unknown and providing skip tracing on all accounts referred for collection when accounts are first transferred, prior to actively pursuing collection activities and again as the selected Proposer(s) receives returned mail. When appropriate, selected Proposer(s) shall undertake steps necessary to obtain payment from third party payers.

2. Provide notice and obtain prior approval from the County of any referral planned for legal action.
3. Not settle any account for less than the full amount owed, unless otherwise directed, in writing by the County. Obtain written specific consent from the County prior to negotiating a final settlement or before otherwise compromising any account. All settlements shall be in compliance with applicable County policies and procedures and Section 2-15 of the Miami-Dade County Code. If the selected Proposer(s) receives only a portion of the debt due, whether as a final settlement or as a partial payment, the selected Proposer(s) shall remit a pro rata share to the County.
4. Return accounts to the County within six months from the date of assignment for Primary Placements and within twelve months from the date of assignment for Secondary and Tertiary Placements, unless the selected Proposer(s) has begun legal proceedings to collect the account. However, the selected Proposer(s) may keep an account longer if it has established payment arrangements.
5. Return accounts to the County upon recall within two business days. The selected Proposer(s) must stop all collection activities immediately when notified by the County to cancel and recall any account(s). The County reserves the right to re-evaluate, adjust, cancel or recall any account(s) assigned to the selected Proposer for collection.
6. Transfer all accounts back to the County when in the opinion of the selected Proposer(s), all collection efforts have been exhausted, or within thirty days after termination of any agreement issued as a result of this Solicitation. The County will be diligent in its review of any accounts transferred back to the County, to determine if the account was truly uncollectible, or if the account was transferred back to the County without sufficient collection efforts on the part of the selected Proposer(s).
7. Designate a Project Manager responsible for all matters relating to the services being provided. The selected Proposer(s) shall advise the County in writing of any changes made as it pertains to the Project Manager, in advance if possible, but at least shortly thereafter.
8. Provide all necessary developing, copying, faxing, postal costs and all other such related services at the selected Proposers' expenses.
9. Make all related records available and assist the County in the instance the County wishes to audit any of the selected Proposers' activities as it pertains to the services being provided.
10. In the instance the selected Proposer(s) discovers that the debtor is deceased; pursue an estate residual, if applicable. If recovery is not feasible, transfer the account back to the County. Provide appropriate documentation, including a copy of the death certificate, upon request from the County, that a claim was filed with the decedent's estate and/or that the selected Proposer(s) petitioned to have the estate liquidated to recover the debt.
11. Maintain and retain all books, records, data, and other related and relevant documentation for a minimum of three (3) years after the expiration of any contract awarded to the selected Proposer(s) as a result of this Solicitation.
12. Send funds via ACH, wire or mail to the County, on a monthly basis. See Monthly Remittance Report for additional instructions.

13. Pickup and deliver any items related to debt collection services at no cost to the County.
14. Transfer back any accounts requested by the County, for whatever reason, at no cost to the County, within two business days from request.
15. Attempt to collect all balances due for services as well as, attempt to assess debtor's ability to repay the debt, and if necessary, extend time payments which shall be subject to the guidelines established by the County.
16. Contact the sender of monies, when there is insufficient information to identify the case/account to which the payment relates.
17. Return all records to the County on a timely basis. The County will specify how long the selected Proposer(s) may retain the accounts, which is usually six months to a year.
18. Accept electronic account referrals from the County and referrals that require manual input into the selected Proposers' collection system. Accounts sent electronically may be in the form dictated by the County, which may change from time to time. The selected Proposers' collection system for processing accounts shall be compatible with the County's method of account referral and with necessary accounting methods.
19. Report debtors who do not satisfy their accounts in a timely manner to national credit bureaus (optional for primary placements). The selection of accounts for reporting, method and timing of reporting will be done in a manner determined by the County. Medical accounts may be exempted from the reporting requirement.
20. Use litigation when the cost is economically feasible and debtors are not bankrupt, destitute or the like, as a part of their collection action. The selected Proposer(s) may be required to represent the County on legal proceedings involving accounts of any dollar amount. County approval is required prior to initiating litigation in order to collect a debt.
21. File claim with bankruptcy court, if applicable, when selected Proposer(s) learns that debtor has filed for bankruptcy. Selected Proposer(s) shall request a verification of debt from the County for bankruptcy claims. If recovery is not feasible, transfer accounts to the County. Selected Proposer(s) shall provide appropriate documentation, including but not limited to the bankruptcy case number, the date it was filed in court, the City and State where it was filed, the name of the filing person and/or entity and the status of the bankruptcy case when it was discovered. Bankruptcy data to be provided to the County when it is first discovered by the selected Proposer(s) and again upon resolution/exhaustion of all collection efforts by selected Proposer(s).

2.5 COUNTY RESPONSIBILITIES

The County shall:

1. Transfer accounts over 90 days delinquent. Although it is the intent of the County to transfer accounts to the selected Proposer(s) when accounts are more than 90 days delinquent, the County reserves the right to extend that period at its sole discretion and for any additional time period the County deems necessary. County departments may have the discretion to determine at what point an account is considered delinquent and how many days delinquent the account must be in order to transfer it to the selected Proposer(s).

2. Determine the most effective and equitable method of assigning accounts to the selected Proposer(s). The County will distribute accounts as equitably as possible taking into consideration value of accounts, at its discretion. The County reserves the right to exercise sole discretion as to which accounts will be transferred to the selected Proposer(s) and to which selected Proposer. The County shall notify the selected Proposer(s) when accounts are ready for transfer or arrange a periodic automatic transfer.
3. Reserve the right to recall assigned accounts at any time and for whatever reason, and will not be responsible for any costs incurred by the selected Proposer(s) for that account.
4. Designate a Project Manager responsible for matters concerning the services being provided.
5. Notify the selected Proposer(s) when collection action is to be suspended for any period of time or cancelled and account transferred back to the County.
6. Notify the selected Proposer(s) of any adjustments or corrections made to the amount due.
7. Not be expected to provide any further assistance in the collection of accounts, once an account is transferred to the selected Proposer(s).
8. Reserve the right to change any portion of the Work outlined herein, if there are changes in Federal, State, local, or County law, ordinance, written rule, resolution, administrative policy or procedure that makes it necessary.
9. Transfer any new accounts and account modifications to the selected Proposer(s) monthly, if applicable, with the supporting information the County deems necessary.
10. Remit to the selected Proposer(s) the collection fee when the County accepts payment by a debtor for an account referred to the selected Proposer(s). The County reserves the right to not accept, at a County Office, payment(s) by debtors for any account which has been referred to the selected Proposer(s).

2.6 REPORTING/OTHER REQUIREMENTS

The selected Proposer(s) shall maintain a computerized database of all assigned accounts from the County and shall prepare reports which describe what action(s) have been taken to collect accounts.

The reporting requirements include, but are not limited to, the following types of reports:

1. Placement Acknowledgement Reports (PLACK) –Submit two electronic reports: 1) Sort by County department, and account type; list in alphabetical order, include the account last and first names, County account number and its corresponding unique account number, the selected Proposer(s) account number, account balance, date referred and date loaded to the account, showing the total accounts referred and their corresponding value, and 2) Sort reflecting loaded accounts referencing the County's unique account number and the date it was loaded to the selected Proposers' system. Summary of loaded accounts is to be provided within one (1) business day after selected Proposer(s) loads accounts to their system. The maximum time allowed to load accounts to selected Proposers' system by the County and by selected Proposer(s) is five (5) working days from date accounts are referred by the County; and one (1) additional day to create and submit PLACK report from date accounts referred.

2. Monthly Remittance Report - Submit an electronic report within the first five (5) business days of each month for the prior month's collections, listing data in the following sort order: Primary, Secondary and Tertiary; the County account number, the corresponding County unique account identifier number, and the date the remittance was paid to the selected Proposer(s). Each payment made is to list first and last name of the debtor, the gross amount of the payment, the selected Proposers' fee and commission percentage charged, the net amount paid to the County after the selected Proposer's commission has been deducted and the outstanding balance of the account prior to and after the payment has been made. Categories are to be totaled for each month's report. Accounts involving litigation are to show any recovered costs. Separate invoices shall be submitted for each account (Primary, Secondary and Tertiary) containing unique remittance number. Along with the invoice shall be the selected Proposers' payment for the net amount collected, payable to the appropriate County department or agency.
3. Quarterly Status Report – List in alphabetical order all open accounts and include the account name, County account number, selected Proposers' file number, outstanding balance and current status. This report shall be summarized by County department and type of account, showing totals for the number of accounts referred, referral amount and the remaining balance. This report shall be submitted quarterly, within seven (7) working days after the end of each calendar quarter.
4. Quarterly Closed Report – List in alphabetical order the account name, County account number, selected Proposers' file number, referral amount and date, closed balance and date, and reason for closing the file. The report shall summarize activity by County department and type of account for the quarter for each close code used. This report shall be submitted quarterly, within seven (7) working days after the end of each calendar quarter.
5. Monthly Recovery by Placement Analysis Report - This report shall analyze the accounts referred to the selected Proposer(s) for each month in which accounts are referred. The report shall analyze the actual collections against the total amount referred for that month, reflecting the selected Proposers' liquidation rate, with a cumulative total for all placements. This report shall be submitted monthly, within seven (7) working days after the end of each calendar month.
6. Monthly Recall Acknowledgement Report - List in alphabetical order the accounts recalled and include the account name, County account number, selected Proposers' file number, current account balance, date referred and date recalled. The report shall be summarized by County department and type of account, showing the total number and value of accounts recalled. This report shall be submitted monthly, within seven (7) working days after the end of each month.
7. Quarterly Executive Review - Summarize the collection activity for all placements from each County department and an overall synopsis for all departments.
8. Monthly Debtor Report – List the updated phone numbers, addresses, social security numbers, and other demographic information, generated by the selected Proposer(s) for the assigned debtors. This report is to be submitted to the County within five working days of the following month.
9. Referred for Legal Action Report - Provide monthly follow-up report of all accounts referred for legal action. This report is to be submitted to the County within five working days of the following month.

10. Other reports, which the County may require on occasion. While the County does not expect to request such reports on a routine basis, there may be instances when the County may require a special report as it relates to the collection of accounts.

Selected Proposer(s) shall provide all required reports to the County, in a format, frequency and quantity acceptable to the County. With the exception of the Quarterly Executive Review, a separate set of reports shall be provided for each County department that summarizes all accounts received from the respective department. Additionally, selected Proposer(s) shall meet with the County's Project Manager on a quarterly basis to discuss collection efforts.

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